

PROB 12B
(7/93)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 21 2014

SEAN F. McAVOY, CLERK
DEPUTY
RICHLAND, WASHINGTON

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Bernard James Owens

Case Number: 0980 2:99CR02130-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: August 4, 2000

Type of Supervision: Supervised Release

Original Offense: Crime on Indian Reservation-
Second Degree Murder, 18 U.S.C. § 1153

Date Supervision Commenced: May 16, 2013

Original Sentence: Prison - 180 M; TSR - 36 M

Date Supervision Expires: May 15, 2016

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 22 You shall participate in the home confinement program for 60 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities, as pre-approved by the supervising officer.

CAUSE

On April 20, 2014, Mr. Owens was arrested for driving under the influence. On April 21, 2014, he contacted the U.S. Probation Office and admitted to the aforementioned crime. Mr. Owens advised he had been going through some personal issues and decided to drink that evening. The defendant acknowledged having an alcohol problem and requested additional treatment services. It should be noted, he had recently completed an intensive outpatient treatment program at Merit Resource Services (Merit) and was following through with an aftercare program at the time of his arrest. As a result of his relapse, he was reassessed by Merit personnel, and a recommendation was made for an intensive outpatient treatment program, with an emphasis on relapse prevention. Mr. Owens is employed full-time at Yakama Forest Products and has agreed to follow through with the recommended treatment plan. As a corrective measure, the defendant has agreed to participate in the home confinement program, as noted above. Enclosed is a waiver signed by the defendant agreeing to the above modification of his conditions of supervised release.

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Re: Owens, Bernard James

May 16, 2014

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Respectfully submitted,

by s/Jose Vargas

Jose Vargas
U.S. Probation Officer
Date: May 16, 2014

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer



Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

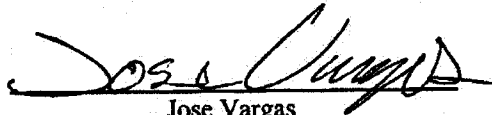
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:


To modify the conditions of supervision as follows:

- 22 You shall participate in the home confinement program for 60 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising officer.

Witness:


Jose Vargas
U.S. Probation Officer

Signed:


Bernard James Owens
Probationer or Supervised Releasee

5/15/14
Date